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Universal Periodic Review

Report of the Office of the United Nations High Commissioner for Human Rights on the operations of the Voluntary Fund for Financial and Technical Assistance in the Implementation of the Universal Periodic Review

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I. Introduction

A. Submission of the report

1. The present report is submitted in accordance with Human Rights Council decision 17/119, in which the secretariat was requested to provide an annual written update on the operations of the Voluntary Fund for Financial and Technical Assistance in the Implementation of the Universal Periodic Review (hereinafter, "the Voluntary Fund") and on the resources available to it. The report has been prepared by the secretariat in consultation with the Board of Trustees of the Voluntary Fund and has been approved by the Board. The present report provides an overview of contributions and expenditure as at 31 December 2014, together with a description of action taken since the submission of the previous report (A/HRC/26/54) to operationalize the Voluntary Fund. It also provides a description of the activities to be funded by the Voluntary Fund during the course of 2015.

B. Background

2. In its resolution 6/17, the Human Rights Council requested the Secretary-General to establish a new financial mechanism called the Voluntary Fund for Financial and Technical Assistance in order to provide, in conjunction with multilateral funding mechanisms, a source of financial and technical assistance to help countries implement recommendations emanating from the universal periodic review in consultation with, and with the consent of, the country concerned. In its resolution 16/21, the Human Rights Council requested that the Voluntary Fund be strengthened and operationalized in order to provide a source of financial and technical assistance to help countries, in particular least developed countries and small island developing States, to implement the recommendations emanating from their review. The Human Rights Council also requested that a board of trustees be established in accordance with the rules of the United Nations.

3. The Voluntary Fund was established in 2009. The Office of the United Nations High Commissioner for Human Rights (OHCHR) has begun operationalizing the Fund by providing financial and technical assistance to States which have requested support. Support has been provided in the spirit of the universal periodic review, in the founding resolution for which it is provided that the objectives are the improvement of the human rights situation on the ground (Human Rights Council resolution 5/1, annex, para. 4 (a)), the fulfilment of the State's human rights obligations and commitments (ibid., para. 4 (b)) and the enhancement of the State's capacity and of technical assistance, in consultation with, and with the consent of, the State concerned (ibid., para. 4 (c)).

II. Operationalization of the Fund

A. Board of Trustees of the Fund

4. On 30 May 2013, the Secretary-General appointed the members of the Board of Trustees of the Voluntary Fund for Technical Cooperation to serve also as the Board of Trustees for the Voluntary Fund for Financial and Technical Assistance in the Implementation of the Universal Periodic Review. They are tasked with overseeing the management of the latter Fund.

5. In close consultation with the various sections of OHCHR, the Board of Trustees focuses its attention on broadly guiding the operationalization of the Fund by providing policy advice.

6. Since the submission of the last report (A/HRC/26/54), the Board of Trustees has held its third session in Geneva in October 2014 and the fourth session in Phnom Penh and Bangkok in February 2015, during which it had an opportunity to provide OHCHR with policy guidance aimed at maximizing the effectiveness of technical assistance and financial support to States in implementing recommendations of the universal periodic review and other international mechanisms at the country level.

7. During its third session in Geneva, the Board of Trustees recommended that OHCHR consider establishing focal point systems for the universal periodic review at the OHCHR regional office level in order to provide support to countries of the respective regions for effective follow-up to universal periodic review and other mechanisms' recommendations. That should be done hand in hand with the treaty body reform outcome and utilize additional resources. Furthermore, the Board of Trustees highlighted the importance of documenting promising practices and lessons learned on follow-up to the universal periodic review that can be shared with OHCHR field presences to promote more effective follow-up to universal periodic review and other mechanisms' recommendations on the ground.

8. During its fourth session, which was focused on reviewing the follow-up support work of OHCHR in the Asia-Pacific region, the Board of Trustees also had an opportunity to discuss with OHCHR how the latter provides technical assistance and financial support through the Voluntary Trust Fund for Financial and Technical Assistance for the Implementation of the Universal Periodic Review in a more systematic fashion and with greater impact. The Board of Trustees also stressed the importance of coherent and coordinated use of the two voluntary funds, namely the Voluntary Fund for Financial and Technical Assistance for the Implementation of the Universal Periodic Review and the Voluntary Fund for Technical Cooperation in the Field of Human Rights, for greater efficiency and sustained impact. The Board of Trustees also held a substantive dialogue with United Nations country teams, with a view to identifying broad policy advice in connection with the latter's efforts to integrate the recommendations of international human rights mechanisms, including treaty bodies, special procedures and the universal periodic review, into their respective country programming. The Board of Trustees was impressed by efforts to incorporate human rights perspectives and strategies, including the recommendations of international human rights mechanisms, into United Nations common country programming documents, such as the United Nations Development Assistance Framework. It encouraged strongly the continuation and expansion of those efforts. The Board of Trustees welcomed the ongoing OHCHR efforts to provide technical assistance and financial support systematically through the use of the Fund to help States in implementing recommendations of international human rights mechanisms.

B. OHCHR strategic vision for follow-up to universal periodic review and the Fund: going forward

9. As noted in the previous report (A/HRC/26/54), OHCHR has been developing the capacity to provide increased support to States in their efforts to implement the outcome of the universal periodic review, including through the operationalization of the Voluntary Fund. That effort has included an integrated approach to supporting implementation of recommendations emanating from all the international human rights mechanisms.

10. OHCHR has revitalized a strategic vision for follow-up to the universal periodic review that is more proactive, systematic and results-oriented. This newly revitalized strategy for that follow-up has enabled OHCHR to provide more effective support to States on the ground, whether directly or through ensuring the integration of support in United Nations country team programming on follow-up, to enable States to achieve concrete results for the promotion and protection of human rights.

11. Building on lessons learned, OHCHR has focused its support on establishing and/or strengthening national processes for follow-up; a well-functioning inter-institutional body has been identified as a key element for more effective follow-up at the national level, along with an implementation action plan that clearly identifies achievable results and priorities, responsible national government agencies for implementation, as well as indicators and timelines against which to measure impact. Furthermore, OHCHR has been providing support to key thematic issues contained in such an implementation action plan, which have been identified as priority issues for implementation.

12. The documentation of best practices is also an important priority for OHCHR. It is vital that good practices on national processes for follow-up, including on how the United Nations agencies at country level are working together to promote Human Rights Up Front, should be made available as widely as possible. The Voluntary Fund therefore continues to fund the documentation of good practices, in particular on such national processes. It also seeks to document good practices and lessons learned on implementation of important thematic issues that were raised in universal periodic review recommendations.

III. Activities to be supported by the Fund during 2015

13. As noted above, in an effort to systematize support given to States, technical assistance will be provided to a number of States, focusing on the establishment and/or strengthening of national follow-up processes.

14. For instance, in Bosnia and Herzegovina, continuing support will be provided to the Government through the United Nations country team for the purpose of the latter's preparing an implementation plan for the second-cycle universal periodic review recommendations through workshops and advice, strengthening its engagement with stakeholders, including the Ombudsman, and training civil servants.

15. In Chad, technical assistance will be provided to the authorities to draft and adopt, in collaboration with civil society, a national action plan for the implementation of the recommendations emanating from the treaty bodies and the universal periodic review. Assistance will also be provided for the purposes of reworking the statutes of the National Human Rights Commission and strengthening the capacity of its members in line with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles).

16. In Costa Rica, the Regional Office for Central America will continue supporting and assisting the country to strengthen the capacity of the inter-institutional commission to follow-up on the implementation of recommendations from human rights mechanisms and providing technical advice on prioritized recommendations. In particular, OHCHR will assist in defining a roadmap to follow up on universal periodic review recommendations from the first and second cycle, and assist in the mainstreaming of recommendations from all human rights mechanisms in United Nations programming and assistance.

17. In the Dominican Republic, through the human rights adviser, support will be provided to promote dialogue between State institutions and civil society and to advance the process of designing a national human rights action plan to follow up on universal

periodic review recommendations. Technical advice will also be provided for defining the methodology and timelines in that regard.

18. Through the work of the human rights adviser recently deployed to Jamaica, support will be provided for the drafting of a common core document, which will contribute to increasing the capacity of Jamaica to meet its reporting obligations to international human rights mechanisms as follow-up to universal periodic review recommendations. Support will also be provided for creating a database on human rights recommendations in order to increase the State capacity to follow up on the recommendations of all international human rights mechanisms.

19. In Kazakhstan, technical assistance will be provided to the Government to implement the recommendations that were put forward during the second cycle of the universal periodic review and in which developing and implementing a national action plan on human rights and strengthening the capacity of the national preventative mechanism were called for. Expert advice and guidance will be provided for the establishment of a standing national coordinating mechanism to ensure integrated follow-up to recommendations of human rights mechanisms.

20. The former Yugoslav Republic of Macedonia established the Inter-Sectoral Body on Human Rights following its first universal periodic review. That body is composed of the State secretaries of the key ministries and took the lead in coordinating follow-up to recommendations emanating from the universal periodic review and those of the other human rights mechanisms. Follow-up to the consultations on its second universal periodic review pointed to the need for increased substantive and expert support to the body and for increased capacity through the addition of an "expert advisory group". Technical assistance will be provided to contribute to increasing the capacity of the body and the expert group. Various actions will be undertaken, including a study visit to other States in a similar situation, "mentoring" from another State to follow up on improving the process and capacities, training workshops (which will also reinforce the involvement of civil society stakeholders) and seminars on examining recommendations and developing tools to monitor follow-up to recommendations.

21. In Malaysia, the Human Rights and Development Theme Group of the United Nations country team has been engaging with the Government for the development of a national action plan on the implementation of recommendations of the second-cycle universal periodic review. In that regard, support will be provided to organize consultative meetings between the Government and different stakeholders on the development of the action plan. The National Human Rights Commission of Malaysia, part of the Governmental Task Force on the development of the national human rights action plan, intends to develop a database to track the implementation of the universal periodic review recommendations, in consultation with the Government of Malaysia. Support will hence be provided to Commission for developing such a database, which will be modelled on a good practice example in the area from other countries.

22. In Mali, technical assistance will be provided to strengthen the national follow-up processes. Hence, assistance will specifically be aimed at: initiating a discussion on the relevance of merging various interdepartmental committees that exist in the country; supporting the Malian authorities in preparing an implementation action plan for universal periodic review recommendations; and supporting the National Steering Committee pending the merging of the various existing interdepartmental committees. A national consultant will assist the authorities in drafting the action plan for the implementation of the recommendations.

23. Following a request from the Government of Mauritania for support in the development and implementation of a strategy to follow up on the recommendations of the

universal periodic review and other human rights mechanisms in coordination with and with the support of the United Nations country team, technical assistance will be provided to the Government, which has committed to setting up the Inter-Ministerial Technical Committee, which will take action to implement the recommendations of the universal periodic review and of other human rights mechanisms. That technical assistance is specifically geared towards supporting the establishment of the Inter-Ministerial Technical Committee responsible for implementation, monitoring and reporting to treaty bodies, special procedures and the universal periodic review. Support will also be provided for drafting a national action plan for implementation. To that end, a workshop on validation of the National Action Plan for the implementation of recommendations of treaty bodies, special procedures and the universal periodic review will be organized with the participation of the National Human Rights Commission and civil society organizations.

24. In Nigeria, assistance will be provided to the Government to strengthen the Inter-Ministerial Committee and for drafting a national plan of action for the implementation of the universal periodic review recommendations in collaboration with concerned stakeholders, including the National Human Rights Commission and civil society actors. To achieve that, in addition to the OHCHR Human Rights Adviser's providing assistance, a national consultant will also be recruited who will assist the Inter-Ministerial Committee in drafting the plan of action and finalizing the reports due to treaties bodies.

25. In Paraguay, the Human Rights Adviser will continue providing technical assistance to State institutions in two areas: (a) to implement prioritized recommendations in three thematic areas and (b) to enhance the capacity of the Ministry of Foreign Affairs, the Ministry of Justice and the Human Rights Network of the Executive Branch to monitor and report on progress in the implementation of international human rights recommendations through a monitoring system developed as part of the cooperation. Specifically, OHCHR will continue providing technical assistance, specialized training and support to hold broad consultations with target groups, to enhance the capacity of the Secretariat of Social Action, the Institute for Indigenous Issues and the National Secretary for the Human Rights of People with Disabilities to apply a human rights-based approach in the definition of policies related to the fight against poverty, the protection of indigenous peoples and the rights of persons with disabilities. OHCHR will also continue assisting Paraguay in enhancing the capacity of institutions to use the SIMORE database (Monitoring System on International Recommendations) developed as part of the first phase of the cooperation provided by OHCHR. In addition, and at the request of the Government, OHCHR will also provide the necessary technical support and assistance to establish a link between the SIMORE database and the Universal Human Rights Index database managed by OHCHR in Geneva.

26. In Rwanda, a national consultant will be hired to carry out, under the supervision of the Human Rights Adviser, the following main activities. Firstly, he will provide technical support to strengthen the capacity of the Treaty Body Reporting Task Force of the Government of Rwanda, which developed the universal periodic review roadmap after the 2011 review and has been entrusted with the implementation of the recommendations. Secondly, he will support the National Commission for Human Rights and relevant stakeholders in developing and implementing human rights-related policies. That national consultant is an integral part of the Resident Coordinator's Office, focusing on follow-up to the universal periodic review and the relevant programmes to be developed under the United Nations Development Assistance Plan Flagship Programme known as "Access to Justice, Human Rights and Peace Consolidation".

27. In Senegal, technical assistance will be provided to the Technical Committee that will review the National Action Plan for implementation of the recommendations of international human rights mechanisms, including the universal periodic review.

28. Following a request for financial and technical assistance from Seychelles, technical assistance will be provided to strengthen the national human rights institution to ensure its compliance with the Paris Principles, which will take the form of assisting with the review of the relevant legislation and the drafting of an amendment bill, as well as a review of the current structural set-up of the institution. Assistance will be provided with the development of a coordinating mechanism for human rights education. Assistance will also be provided with a view to strengthening the capacity of law enforcement officials to ensure respect for juvenile justice standards, which will take the form of aiding in the assessment of current practices and the establishment of standards and procedures.

29. In Solomon Islands, support will be provided through the deployment of a National United Nations Volunteer to be based in the Ministry of Justice and Legal Affairs. This Volunteer will work closely with relevant government entities, civil society, United Nations agencies and regional organizations in order to promote and support the establishment of an inter-ministerial coordinating committee in charge of reporting to international human rights mechanisms, including the universal periodic review and treaty bodies. The Volunteer will also assist the Government in preparing its second-cycle universal periodic review report by taking stock of the level of implementation of the recommendations from the first cycle, including through consultations with various stakeholders on shortfalls, developments and activities related to those recommendations.

30. In Sudan, technical assistance will be provided with strengthening the capacity of the Special Criminal Court on the Events in Dartur. That assistance will take the form of a training course for judges and court staff on the application of international standards in the delivery of criminal justice. Training courses on criminal investigations will also be provided. The technical assistance will be provided in accordance with recommendations relating, inter alia, to support for the rule of law and the delivery of justice in Dartur, and the organization of training programmes for judicial and law enforcement personnel, all of which enjoy the support of Sudan.

31. In Tajikistan, technical assistance will be provided to the Government to strengthen the structure and capacity of the national coordination mechanism in order to ensure effective coordination and monitoring of follow-up to the recommendations of human rights mechanisms. In particular, the regulatory framework of the national coordination mechanism will be amended and improved based on expert advice to be provided as part of that technical assistance. A series of training sessions and workshops on international human rights mechanisms and their reporting requirements will be organized for various ministries' representatives of the national coordination mechanism to ensure their effective input in the follow-up and reporting processes.

32. In Timor-Leste, a broad-based National Directive Commission composed of representatives of the Government, the national human rights institution, civil society and the private sector was established in 2014 to draft a national human rights action plan. Support will be provided to increase the capacity of that Commission to draft the action plan through an inclusive and participatory process. The action-planning process will include an exercise of prioritization of key recommendations made to date to Timor-Leste during the universal periodic review and by other United Nations human rights mechanisms. Support will also be provided for the drafting of a baseline study, public consultations, capacity development of Commission members and a public information campaign to disseminate information on the action-planning process, seeking input from the public.

33. In Afghanistan, support will be provided to the Human Rights Support Unit of the Ministry of Justice for reviewing and updating the National Action Plan on Implementation of Recommendations from United Nations Human Rights Monitoring Mechanisms following the examination of the periodic reports by Afghanistan by the Committee on

Economic, Social and Cultural Rights (2010), the Committee on the Elimination of Discrimination against Women (2013) and the Committee on the Rights of the Child (2011), and the universal periodic review (2014). More specifically, support will be provided for follow-up and tracking of the status of the implementation of recommendations of international human rights mechanisms by State institutions. Furthermore, support will be provided to the Unit to: ensure the compliance of all Afghan laws, regulations, policies, strategies and State programmes with international human rights standards to which Afghanistan is a State party; raise awareness and build the capacity of State officials on human rights commitments; and provide technical assistance and capacity-building within the Unit in its coordination of the universal periodic review recommendations.

34. In Bhutan, a United Nations Volunteer will be attached to the United Nations country team or the Ministry of Foreign Affairs to provide technical support to the Ministry of Foreign Affairs for the establishment of an inter-ministerial coordination body.

35. Continuing support has also been provided on the ground for follow-up to recommendations of international human rights mechanisms in the framework of the United Nations country programming. For instance, based on the experience of cooperation with Barbados in 2015, OHCHR will extend cooperation to English-speaking Eastern Caribbean States, through support to be provided by a national human rights institution and universal periodic review focal point based at the Office of the United Nations Resident Coordinator in Barbados and the Organization of Eastern Caribbean States, and working closely with United Nations entities in the region. Activities will focus on raising awareness of human rights and the United Nations protection mechanisms; encouraging concrete actions by Governments to address the recommendations made by international human rights mechanisms, the establishment of inter-institutional coordinating mechanisms, the creation of follow-up plans and the development of tools; and providing technical advice and support to build and strengthen existing national capacities to promote and protect human rights.

36. The OHCHR Regional Office for South America will continue supporting Argentina, Brazil, Chile, Ecuador, Peru and Uruguay to enhance their capacity to follow up on the recommendations of international human rights mechanisms, including through cooperation within the framework of the United Nations country programming. In cooperation with the United Nations country teams, and with expert advice and support from the Regional Office, OHCHR will continue to provide support to the Governments and civil society in analysing and reviewing key universal periodic review recommendations, establishing inter-institutional mechanisms, defining road maps and identifying the needs for capacity-building and technical assistance, which have been integrated into the respective United Nations common country programming documents, such as the United Nations Development Assistance Framework. Furthermore, OHCHR will support the documenting and sharing of good practices of cooperation with United Nations human rights mechanisms among countries of the region, as well as those of strategies and policies to address key thematic human rights issues.

37. Moreover, technical assistance and support will be provided to a number of States focusing on priority thematic issues. For instance, in the Philippines, a seminar package will be provided to the Philippines Human Rights Commission through the United Nations Development Programme in order for it to organize a workshop on the establishment of a national preventative mechanism envisaged under the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. In Thailand, the Ministry of Justice has been taking the lead to prepare for the ratification of the Optional Protocol. Support in that regard will be provided to the Ministry of Justice

with a view to increasing awareness and understanding among the concerned agencies in terms of the implication of ratifying the Optional Protocol.

38. In view of specific recommendations accepted by Panama on intensifying its efforts to guarantee the right of all children to birth registration during its 2010 universal periodic review, a project initiated in 2013 is focusing on ensuring birth registration of indigenous children in remote areas. The OHCHR Regional Office in Central America based in Panama, in cooperation with the United Nations Children's Fund (UNICEF), is assisting the National Directorate of Civil Registry of the Electoral Tribunal in reaching out to indigenous Ngabe-Bugle communities of Mama Tata religion that have traditionally refused to be registered.

IV. Financial situation of the Fund

Table 1

Statement of income and expenditure for the biennium 2014–2015 (1 January 2014–31 December 2014)

I. Income	*US$*
Voluntary contributions received from Governments in 2014	490 440.91
Miscellaneous and interest income	16 319.72
Total income	**506 760.63**
II. Expenditure	*US$*
Staff costs	83 682.50
Experts' and consultants' fees and travel	220 261.00
Staff travel	58 652.36
Travel of representatives	48 940.92
Contractual services	30 290.00
General operating expenses	2 554.00
Supplies and materials	0
Grants, contributions and seminars	259 973.05
Programme support costs	91 566.01
Total expenditure	**795 919.84**
Net excess (shortfall) of income over expenditures for the period	**-289 159.21**
Opening balance 1 January 2014	**1 813 869.00**
Miscellaneous adjustments/savings/refunds to donors	**327 962.72**
Total fund balance as at 31 December 2014	**1 852 672.51**

Table 2

Voluntary Fund for Financial and Technical Assistance in the Implementation of the Universal Periodic Review — voluntary contributions since the establishment of the Fund to 31 December 2014

Donor	*US$*
Year 2008/2009	
Colombia	40 000
Russian Federation	450 000

Donor	*US$*
United Kingdom of Great Britain and Northern Ireland	45 326
Biennium 2010–2011	
Germany	148 148
Morocco	500 000
Russian Federation	200 000
United Kingdom of Great Britain and Northern Ireland	133 707
Biennium 2012–2013	
Australia	387 580
Germany	475 664
Kazakhstan	9 975
Norway	849 114
Biennium 2014–2015	
Germany	136 779
Norway	333 667
Kazakhstan	19 975
Total contributions	**3 729 955**

39. Table 1 shows the detailed financial situation of the Fund as at 31 December 2014 (statement of income and expenditure).

40. Since the establishment of the Voluntary Fund in 2009, eight countries have made financial contributions: Australia, Colombia, Kazakhstan, Germany, Morocco, Norway, the Russian Federation and the United Kingdom of Great Britain and Northern Ireland. Table 2 provides an overview of all contributions received for the reporting period, from the establishment of the Fund to 31 December 2014. Additional financial contributions from Germany have been received during the period January–March 2015.

41. With the newly revitalized OHCHR strategic vision for follow-up to universal periodic review that enables OHCHR to provide systematic support to States focusing on national follow-up processes, and in line with the projects outlined above for 2015, allocations have significantly increased. Out of a balance of US$ 1,852,673 as at 31 December 2014, US$ 1,653,923 have been allocated in 2015. Hence, it is critical to expand the donor base of the Fund and to receive further funding in order to sustain and ensure the universal application of the new strategic vision for follow-up to all Member States, in line with the universality principle of the universal periodic review mechanism.

V. Conclusions

42. **Securing the political will and enhancing the ability of States to bring about tangible results with a view to improving the human rights situation are the key objectives of technical assistance and financial support. With a view to achieving those objectives, the Voluntary Fund for Financial and Technical Assistance for the Implementation of the Universal Periodic Review continues to serve as a valuable source of support for countries in the implementation of their universal periodic review recommendations.**

43. **As has been demonstrated, a revitalized OHCHR strategic vision for follow-up to universal periodic review that is more proactive, systematic and results-oriented has enabled OHCHR to provide systematic support to States in fulfilling their primary responsibility to implement the universal periodic review recommendations.**

Particular emphasis has been placed on the importance of establishing and/or strengthening national follow-up processes, including support given to the establishment of an inter-institutional body, design of an achievable implementation action plan and support given to implementation of priority thematic issues identified in such an implementation action plan.

44. It is also hoped that an integrated approach to following up on the recommendations of international human rights mechanisms, including treaty bodies, special procedures and the universal periodic review, continues to be applied as broadly and systematically as possible, which will help States to bring about concrete results for the promotion and protection of human rights on the ground.

45. A growing body of good practices on follow-up to the universal periodic review has been generated, which is being documented by various actors, including civil society organizations. OHCHR continues to pay attention to the need to document such good practices in a more systematic way as a priority, and will make every effort to ensure that good practices on national follow-up processes, including on how the United Nations agencies at country level are working together to promote Human Rights Up Front and on follow-up to common global thematic human rights issues, such as global themes such as prevention of violence against women and prevention of torture, are documented and shared to enable other States to replicate them, while tailoring them to their own specific needs.

46. It should be re-emphasized that the primary responsibility for the implementation of recommendations emanating from universal periodic review rests with States themselves and, as appropriate, with other relevant stakeholders. Hence, it is crucially important that the active participation of other stakeholders in the follow-up process be secured and encouraged.

47. It should also be emphasized that it is vital that more contributions be made to the Voluntary Fund in order to ensure the sustainability of support to States in implementing recommendations of international human rights mechanisms in a more systematic and integrated manner.